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### **REMARKS**

This response is intended as a full and complete response to the final Office Action mailed April 27, 2005. In the Office Action, the Examiner notes that claims 1-18 are pending of which claims 1, 2, 5-11 and 15 are rejected and claims 3, 4, 12-14 and 16-18 are objected to. By this response, Applicant has amended claims 2-7, 11, and 15-17. Claims 1, 8-10, 14, and 18 have been cancelled without prejudice.

In view of both the amendments presented above and the following discussion, Applicant submits that none of the claims now pending in the application are anticipated or obvious under the respective provisions of 35 U.S.C. §102 and 103. Further, Applicant submits that the claimed invention complies with the written description requirement of 35 U.S.C. §112. Thus, Applicant believes that all of the pending claims are now in allowable form.

It is to be understood that Applicant, by amending the claims, does not acquiesce to the Examiner's characterizations of the art of record or to Applicant's subject matter recited in the pending claims. Further, Applicant is not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

### **ALLOWABLE SUBJECT MATTER**

The Examiner has objected to claims 3, 4, 12-14 and 16-18 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for indicating the allowable subject matter and has amended claims according to the Examiner's suggestion.

More specifically, claims 3 and 11 have been rewritten in independent form. Claims 2, 4, 5, 15-17 have been amended to depend from claim 3, and claims 12-13 have been amended to depend from claim 11.

Additionally, claim 6 has been amended to recite limitations that are similar to the limitations of amended claims 3 and 11.

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**REJECTIONS****A. 35 U.S.C. §112****Claims 1-18**

The Examiner has rejected claims 1-18 as failing to comply with the written description requirement. In particular, the Examiner states that the claims 1, 6, 8, and 10 contain a limitation "RSVP session" which was not described in the specification. In response, Applicant has amended claim 6 accordingly and deleted the cited limitation. Claims 1, 8, and 10 have been cancelled without prejudice.

Therefore, Applicant respectfully requests the rejection be withdrawn.

**B. 35 U.S.C. §102****Claims 1, 2, 5, 6, 8, 10, 11 and 15**

The Examiner has rejected claims 1, 6, 8, 10, 11 and 15 as being anticipated by Turina (U.S. Patent 6,031,832, hereinafter "Turina"). In response, Applicant has rewritten claims 3 and 11 in an independent form and amended claims 2, 5-6, and 15. Claims 1, 8, and 10 have been cancelled without prejudice. Claims 2, 5, and 15, as amended, depend from claim 3.

Independent claim 3 (and similarly independent claims 6 and 11), as amended, recites limitations not taught, shown or suggested by Turina.

Turina teaches a method and wireless network ("system") which use a multiple access reservation protocol where channels for packet transfers are allocated for a specific mobile station that may initiate a request for a channel reservation. (Abstract; col. 6, lines 3-4).

However, Turina does not disclose a quality of service information element (QoS IE) transmitted by a mobile station to a wireless network that includes at least one of alternate traffic classes and traffic class combinations, where the traffic classes are selected from the group consisting of conversational, streaming, interactive, and background traffic classes, as recited in claims 3, 6, and 11. As such, Turina does not teach Applicant's invention.

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Therefore, Applicant submits that claims 3, 6, and 11 are not anticipated and fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder over Turina.

Furthermore, claims 2, 5-6, and 15 depend directly from claims 1 and 6 and recite additional limitations thereof. As such and at least for the same reasons as discussed above, Applicant submits that claims 2, 5-6, and 15 are also not anticipated and fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder over Turina.

Therefore, Applicant respectfully requests the rejection be withdrawn.

**C. 35 U.S.C. §103**

**Claims 4, 7, and 9**

The Examiner has rejected claims 4, 7, and 9 as being obvious and unpatentable over Turina in view of Applicant's admitted prior art (AAPA). In response, Applicant has amended claims 4 and 7. Claim 9 has been cancelled without prejudice.

Independent claims 3 and 6, as amended, recite limitations not taught, shown or suggested by a combination of Turina and AAPA. The patentability of claims 3 and 6 over Turina has been discussed above in Section B.

AAPA disclosed in reference to FIG. 2 teaches a quality of service information element (QoS IE) including a residual error bit field and a service data unit error ratio field (octet 10), and a transfer delay field (octet 11).

However, AAPA does not disclose the QoS IE including at least one of alternate traffic classes and traffic class combinations, where the traffic classes are selected from the group consisting of conversational, streaming, interactive, and background traffic classes, as recited in claims 3 and 6. As such, AAPA does not teach Applicant's invention.

Moreover, AAPA cannot be utilized to modify the teachings of Turina in a manner that would result in the methods recited in claims 3 and 6. As such, a combination of Turina and AAPA would not produce Applicants' invention recited in claims 3 and 6.

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Furthermore, claims 4 and 7 depend directly from claims 1 and 6, respectively, and recite additional limitations thereof. As such and at least for the same reasons as discussed above, Applicant submits that claims 4 and 7 are also not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder over Turina and AAPA.

Therefore, Applicant respectfully requests the rejection be withdrawn.

### CONCLUSION

Thus, Applicant submits that none of the claims presently in the application are anticipated or obvious under the respective provisions of 35 U.S.C. §102 and §103. Further, Applicant submits that the claimed invention complies with the written description requirement of 35 U.S.C. §112. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: \_\_\_\_\_

*5/31/05*

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